

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

<b>(1) GLENDA PHILLIPS, INDIVIDUALLY;</b>	)	
<b>AND</b>	)	
<b>(2) CINDY RANKIN, INDIVIDUALLY,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>v.</b>	)	<b>Case No. CIV-11-1270-D</b>
	)	
<b>(3) NOVARTIS PHARMACEUTICALS</b>	)	
<b>CORPORATION</b>	)	
	)	
	)	
<b>Defendant.</b>	)	

**REPORT AND RECOMMENDATION**

Plaintiff Cindy Rankin, appearing through counsel, has filed a motion for leave to proceed *in forma pauperis*. Pursuant to an order entered by United States District Judge Timothy D. DeGiusti, this matter has been referred to the undersigned Magistrate Judge to address Plaintiff's *in forma pauperis* application. Having reviewed said application, the undersigned finds that Plaintiff Rankin is financially able to prepay the filing fees.

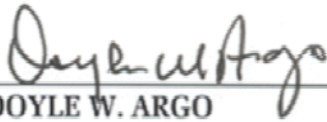
The application reveals that Plaintiff Rankin has significant take home pay bi-monthly, and despite her financial obligations, she should have the ability to pay the \$350 filing fee. Further, there are two named Plaintiffs and the other Plaintiff has not submitted any financial information. Since only one filing fee is required, both Plaintiffs would need to qualify for *in forma pauperis* status to be allowed to proceed without paying the filing fee.

Because Plaintiff Rankin does not qualify for authorization to proceed without prepayment of the filing fee, it is recommended that her application [Doc. No. 2] be denied

and that she and her co-Plaintiff be ordered to prepay the full \$350.00 filing fee for this action to proceed. 28 U.S.C. § 1915(a)(1).

The Plaintiff Rankin is hereby notified of her right to object to this Report and Recommendation by November 17, 2011 in accordance with 28 U.S.C. § 636 and Fed. R. Civ. P. 72. The Plaintiff is further advised that failure to make timely objection to this Report and Recommendation waives her right to appellate review of both factual and legal issues contained herein.

ENTERED this 2<sup>nd</sup> day of November, 2011.

  
DOYLE W. ARGO  
UNITED STATES MAGISTRATE JUDGE